



VOL. XXXV.

HONOLULU, HAWAII TERRITORY, THURSDAY, DECEMBER 18, 1902.

PRICE FIVE CENTS.



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Ayer's Hair Vigor feeds the hair and makes it grow long and heavy. It stops falling of the hair, completely cures dandruff, and keeps the scalp clean and healthy.

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Lemon Soda,
Root Beer,
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Cream Soda,
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Pineapple Cider,
Kamel,
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Filling in material either earth or coral, furnished at a very low price as we have a large stock on hand.

CONCRETE WORK guaranteed, and done at a very low price.

Special low price in CRUSHER ROCK of all grades from No. 1 to No. 5, or rock sand.

COMMON DRAY, \$5.00 per day.

LARGE DRAY, \$8.00 per day.

You Need Them These Warm Days

Plain Soda, Vichy, Carlsbad, Seltzer, Congress, Lithia and German Mineral Water (containing all the properties of Apollinaris), manufactured from chemically pure water put up in 28 oz. Syphons, \$1.25 per doz., 75c per half doz.

The Fountain Soda Works,

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J. E. GOEAS

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Christmas Dinner

Mince Meat, Citron Peel, Lemon Peel, Orange Peel, Seedless Raisins, Seedless Raisins, Currents, Nuts, etc. Beretania and Emma Streets.

Phone 2312 Blue.

Excursion to Volcano!

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TUESDAY, DECEMBER 23,

RETURN HONOLULU

TUESDAY, DECEMBER 30,

\$40--PAYS ALL EXPENSES--\$40

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MONEY PAID INTO COURT

Judge De Bolt Will Deal With Sumner.

LAWYERS FIGHT FOR THE \$48,000

Warm Exchange of Compliments Between Opposing Counsel.

With the deposit in the First Circuit court of a certificate of deposit for the sum of \$48,025 yesterday afternoon the troubles of John K. Sumner were shifted from Bishop & Co. to Judge J. T. De Bolt. The money is to remain subject to the order of the court and is likely to be tied up for some months if an appeal is taken to the Supreme Court, as has been threatened.

The case of Bishop Gulstan vs. John K. Sumner et al. was called up the first thing in the morning, and there was an imposing array of counsel present on behalf of the various defendants, who are much more interested in the disposition of the old man's money than either the plaintiff or Sumner. Humphreys, Thompson & Watson appeared for the Ellis children, while Davis said he represented John K. Sumner and E. C. Peters appeared for Maria Davis and Wally Davis.

Though considerable time was spent in discussing the case the only thing actually done yesterday was an order withdrawing the \$48,000 from Bishop & Co.'s bank and postponing the hearing to a future day. This morning argument will be had upon a motion made by E. C. Peters for the striking out of the paragraphs in Humphreys' answer referring to Magoon as impertinent and scandalous. The court ordered that the main issues should not be presented until after this preliminary motion was disposed of.

Upon the opening of court Humphreys submitted a motion on behalf of the Ellis heirs asking that the \$48,000 be ordered paid into court. Amongst other allegations it was stated:

"Because, 4. It appears from the answer of the said John K. Sumner, and the defendant Maria S. Davis, that the title of said John K. Sumner to said moneys is, in the most favorable aspect of the case, vague, uncertain, doubtful, nebulous, misty, hazy, and perplexing."

"Because, 5. It appears from all of the pleadings herein and the exhibits thereto attached that the title to said moneys is in question, disputed and litigated, and that the claim, right and title asserted to the same by the parties to this proceeding grows out of and is based upon and under said deed of trust."

"Because, 6. It appears from the answer of these defendants that the possession of said moneys was obtained from the complainant herein by said John K. Sumner, by the deceit, misrepresentation, trickery, and covin of his attorney, done, performed and said in the presence of him the said Sumner."

"Because, 7. It appears from the bill of complaint herein and the answer of these defendants that the attorney for the said John K. Sumner, did in the presence of him the said John K. Sumner, cancel and spoliolate the document in said trust deed mentioned, referred to and specified, to wit, the last will and testament of said John K. Sumner, made and executed on the 17th day of September, A. D., 1898."

"Because, 8. It sufficiently appears from all of the pleadings herein that said Sumner, said Maria S. Davis and their attorney are in league to conceal, cover and spirit away said moneys, in contravention of the right and equity of these defendants and to their manifest wrong, injury and damage."

"This motion is based upon all and every the pleadings, exhibits and files in this cause."

"VICTORIA S. BUFFANDEAU,"

"WM. S. ELLIS,"

"JNO. S. ELLIS."

The fun began during the reading of the answers filed to the petition of the Bishop. Separate answers had been filed by the three Ellis children, by Maria S. Davis and by John K. Sumner which were widely at variance. Humphreys began the reading of the Ellis answer first, to which Davis objected, claiming that Sumner should have precedence. The matter was amicably settled, however, and Attorney Peters read the answer of Sumner, after Davis had the name of Peters entered as associate counsel.

Humphreys then read the disputed answer in which the "scandalous" reference to Magoon appeared, referring

EXHIBITS FOR THE OSAKA FAIR ARE ALMOST READY

Plans for the making of a comprehensive exhibit at the Osaka exposition were practically completed at the meeting of the Exposition Association, held yesterday afternoon, at the office of Chairman C. M. Cooke. The reports of the various committees showed that the work is in an advanced state of preparation and when the exhibit is finally shown here before being sent on it will be found to be complete and ample.

When the meeting was called to order the report of the treasurer was presented, showing that \$3,000 had been raised for the purpose of making the Osaka exhibit, and as \$1,000 had been sent to Commissioner R. W. Irwin, nothing would be added to that sum at this time. Chairman Cooke was requested to send to Mr. Irwin his own cable address and as well a statement, as to the code which is to be employed in any correspondence.

W. O. Smith reported for the education committee that the Board of Education and the Kamehameha schools found the time too short in which to prepare an exhibit, and therefore there would be no display of school work. The Kamehameha schools had appropriated \$100 which would be expended in photographs. There was a long discussion, during which it was developed that the exhibit which was made at Buffalo had gone astray and that a number of cases filled with papers and other articles, thrown together promiscuously, had been received by the Hawaiian Electric Company, and by them sent to some one in the government. It was decided that these would be looked up, with the idea of securing some of them for the purpose of making a display. St. Louis College will be asked to send an exhibit as well.

W. W. Harris reported that the exhibit of native woods was progressing rapidly. From Mr. Baldwin at Makawao twenty-six samples of woods had been secured and these will be polished immediately. John T. Moir had sent down from Onomea eleven logs. It was the intention to cut small pieces from these for the purpose of making the Osaka exhibit, and the remainder would be reserved for the St. Louis exhibition. Eben Low has promised a list of samples from his ranch and Senator Paris has promised that this week there would arrive a series of the woods which grow in Kona. All of these will be carefully polished and prepared for exhibition at once.

Allan Herbert, from the Committee on Agriculture, reported that he had prepared a series of exhibits of the staple products of the islands which will be shown principally in the large exhibit jars which have been secured for the purpose. These will contain such things as rice, coffee, the various kinds

of sugar, taro flour and a general variety of such products. There will be in addition taro in the form of the plants, awa, kukui nuts, kukui oil and specialties in general.

The chairman of the Agriculture Committee announced that his headquarters were in the Stangenwald Building and that in case any one had something which he wanted to exhibit jars, preserving liquids and all instructions would be furnished.

The committee on Hawaiian manufactures was not represented and no member of the body has ever made a report. The absence of Prince Kuhio, chairman, rendered it impossible for any report to be had and it was voted that Mr. Macfarlane should be added to the committee and an effort made at once to get together an exhibit of the work of the native people.

Mr. Giffard from the committee on photographs reported that the committee had decided that there should be twenty-two frames of pictures and as well certain large views which will be framed separately. The pictures will be arranged as follows: two frames containing eight pictures each, representing scenes about the sugar mills and plantations with men at work at the various kinds of labor; one frame of eight prints devoted to each of the following subjects: The coffee industry, railroad lines and scenes, transit facilities of Honolulu, ships which come regularly to Honolulu, inter-island steamers with several landings about the group, school houses and surroundings, industrial establishments of Honolulu, business blocks of the city, government buildings, wells and water supply system generally, agricultural subjects other than cane, volcano views, general island scenery, hotels and resorts, islands and fruits, Honolulu and the other towns, forest scenery, street scenes and residences, Hawaiian types, Hawaiian life and old Hawaiian life scenes.

In addition to the smaller scenes there will be twenty-five large pictures which will be framed separately. These will be on the following subjects: four relating to scenes connected with the sugar industry, six dealing with general Hawaiian scenery, four of types of Hawaiian people, three of volcano scenes, three of educational institutions and one each of the coffee, rice, banana, sisal and pineapple fields. It was voted that this committee be given \$500 for the work of preparing the Osaka exhibit, and that there be further appropriations if more pictures are needed for the St. Louis display.

There was some discussion as to the catalogue which will be prepared for the exhibit, and it was decided that the work should be done here and printed in Japan in both the English and Japanese languages.

The entire exhibit will be assembled and shown in the large room in the Stangenwald building before it is finally shipped to Osaka.

At the meeting were C. M. Cooke, F. W. Macfarlane, W. W. Harris, W. O. Smith, Allan Herbert, W. M. Giffard and James Gordon Spencer, secretary.

WARNING AGAINST THE USE OF A "MILK PURIFIER"

Householders are warned against the use of a "milk purifier" which has been extensively advertised in Honolulu in the report of Food Commissioner Shorey this month.

The following reports of milk below standard are given, together with extracts from the report:

	Total solids.	Butter fat.
M. Cabral	10.8	2.2
M. Cabral	11.0	3.2
V. Souza	11.0	2.9
M. Abreu	10.8	3.0
A. Ludloff	10.9	2.3

During the month circulars and samples of a compound known as a "milk purifier" have been sent to parties here from different places on the mainland. One sample which came into my hands I found to be a mixture of glucose, common salt, and carbonate of soda. The claims made for the compound are that it preserves the milk, improves the taste, and most important of all enables the volume of the milk to be doubled at the cost of two cents per gallon. The carbonate of soda would preserve the milk for a short time, but it is easily seen on reading the circulars that the compound is intended to be used chiefly to give body to the milk after the addition of water. The sample examined contained no fat as claimed in the circular. The use of such a compound to cover up the addition of water is in violation of the present food law, and there should be no trouble in convicting any one so using it. I attach circulars as part of this report.

A sample of water used by a poi maker in Manoa Valley was examined at request of Mr. Tracy, and found as follows:

	Parts per million.
Total solids	210.000
Chlorine	36.2
Free ammonia	0.070
Albuminoid ammonia	0.970
Nitrates	0.230
Nitrites	trace

This water should be considered more dangerous than those from Kalih Valley reported on last month, and its use in the manufacture of poi for sale should not be allowed. At the request

of sugar, taro flour and a general variety of such products. There will be in addition taro in the form of the plants, awa, kukui nuts, kukui oil and specialties in general.

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SMOKE FROM CRATERS

German Scientist Quieted Savaii Natives.

FIRE COULD BE SEEN FROM FAR OFF

Natives of New Britain Fear a Volcanic Eruption From Old Crater.

The Moana brought advices yesterday to the effect that there have been no further eruptions of the volcanoes of Savaii, Samoa, but that three craters which had been regarded as extinct have been emitting volumes of smoke.

Reports were also brought that natives of New Britain were panic stricken over rumblings that have been heard there recently. They fear an eruption from an old crater.

Sydney newspapers contain English translations of a story which appeared in the Samoa Mische Zeitung, giving a complete account of the trip made by the Government schooner Le Aeto, having on board Dr. Trenc, government astronomer, to Round Island, Savaii, where the eruption recently occurred. The account is as follows:

"The mountains were covered in clouds, but there was nothing else to be seen until the approach of darkness, when the volcano became visible. From a place on the mountain about seventeen English miles southwest by south from Matatutu a pillar of fire ascended to a considerable height. Through a glass one could see dark and brilliant streaks, sent up by the eruptions, fall back on the volcano or its near surroundings. The eruption was repeated several times in a minute, and sometimes at an interval of a few seconds. To the sideways of and behind the pillar of fire sheet lightning was noticed at night. In Matatutu a slight earthquake was felt."

The Le Aeto, with Captain Williams aboard, made a trip around Savaii while the others went overland to Safune, where a great number of the inhabitants of the west coast had taken refuge. A panic had taken hold of the inhabitants immediately after the beginning of the eruptions. The village of Aopu, as well as the villages of Letuli and Sahina, were deserted, and large numbers of the inhabitants of Safune had fled eastward. In all the villages of the north coast the Samoans had given up their ordinary occupations, and were holding almost continuous prayer meetings.

In Safune, addressing a gathering of Samoans, Dr. Trenc explained the eruption and gave expression to the opinion that there would be no danger to the other villages.

"The acting governor gave orders that the Samoan people should take up their work again on their several stations, explaining that otherwise they would run short of the necessities of life, but he gave them permission to sleep elsewhere in the evening after having done their work."

In the afternoon Safune was reached, and was found to have been deserted by the greater part of its inhabitants, and according to reports the balance of the inhabitants had intended to leave, but they remained on the representation and the example of a trader named Nelson. Here the volcano was well seen in the daytime. A high, white pillar of smoke broadened out at the top was visible. At the under end of the pillar, close to the volcano, visitors could at times see black smoke and black patches ejected, and the fire of the volcano was visible. In a somewhat northerly direction from the volcano there was a place where molten lava was visible, while otherwise the probable run of the lava could be seen reflected between the volcano and the clouds. Each eruption was accompanied by dull thunder, sometimes a little stronger and sometimes a little weaker. Natives who had been in the inland village of Achopo the day before reported that they saw the fire previously, and that the noise was louder, but that they did not notice any ashes. The party spent the night in Safune, and the next day started on the return trip to Matatutu.

There also a meeting of Samoans was held. The natives had taken up their work again, and otherwise the minds of the people appeared to be more calm than before.

In the evening at Vaipouli, the station of Dr. Trenc was visited. From this point visitors could only see red fire shining near the volcano.

"On Thursday the party completed the trip round Savaii. It was ascertained that no loss of life had taken place. On the coast at Satana, and round towards Sabelua, a lot of fine black ashes were found. In most of the places visited there was great excitement among the natives. From

sea four places of eruption were noticed, all situated southeast from the extinct crater Maugaafi. According to Surveyor Haidler and Captain Froelich the principal eruptions were situated as follows: Matatutu, southwest by south, distant seventeen English miles; Safune, south-southwest, distant 13 English miles; Aopu, south, distant 7 English miles; Sabelua, north-northeast, distant 10 English miles. The run of lava was, as far as could be ascertained, towards the northeast and west, and had advanced northwards about two miles. Southwards there had been no run of lava. The height of the crater above the sea was estimated at about 3,500 feet to 4,000 feet.

"Dr. Trenc remained at Savaii to try and get nearer to the place of eruption. He is of opinion that there is no connection between Upolu and the place of the eruptions in Savaii, and that there is no probability of eruption in Upolu."

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